



STALLMAN & POLLOCK LLP
353 Sacramento Street, Suite 2200
San Francisco, CA 94111
(415) 772-4900

3621
TFW

In re Patent Application of: Jeffrey T. Makoff et al.

Atty Docket No. POET-400

Application No.: 09/865,113

Filed: May 24, 2001

Confirmation No.: 3042

For: SYSTEM FOR FACILITATING REMOTE DIGITAL IMAGE MANIPULATION SERVICES

M/S AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmittal herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	57	MINUS	57	0	x \$50 =	\$0
INDEP.	9	MINUS	9	0	x \$200 =	\$0
FIRST PRESENTATION OF MULTIPLE DEP CLAIMS					+ \$360	\$0
TOTAL						\$0

Small Entity 50% Filing Fee Reduction (if applicable)

\$0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.)

- ☒ No additional fee is required.
- ☐ A check in the amount of \$_____ is attached.
- ☒ Please charge any additional fees, including any fees necessary for extensions of time or credit overpayment to Deposit Account No. 50-1703, under Order No. POET-400.
A duplicate copy of this sheet is enclosed.
- ☒ Petition for extension of time. The undersigned attorney of record hereby petitions for an extension of time pursuant to 37 C.F.R. § 1.136(a), as may be required, to file this response.

STALLMAN & POLLOCK LLP

Dated: February 22, 2006

By:

Michael A. Stallman (Reg. No. 29,444)
Attorneys for Applicant(s)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 23, 2006.

Dated: February 23, 2006

By:

Georgia G. Stith



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jeffrey T. Makoff et al.

Application No.: 09/865,113

Filed: May 24, 2001

For: SYSTEM FOR FACILITATING
REMOTE DIGITAL IMAGE
MANIPULATION SERVICES

Confirmation No.: 3042

Group Art Unit: 3621

Examiner: Cristina O. Sherr

**RESPONSE TO OFFICE ACTION
MAILED FEBRUARY 8, 2006**353 Sacramento Street, Suite 2200
San Francisco, CA 94111
Telephone: (415) 772-4900
Facsimile: (415) 398-2890M/S AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited
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Box 1450, Alexandria, VA 22313-1450 on Feb. 23, 2006.

STALLMAN & POLLOCK LLP

Dated: 02/23/2006

By:

Georgia L. Stith

Sir:

In response to the Office Action mailed February 8, 2006, Applicants respond follows:

REMARKS

In the Office Action, the Examiner issued a modified election/restriction requirement in response to Applicants' previous response. At this point, Applicants have elected to prosecute the invention in Group I (claims 1-18 and 29-50). The Examiner noted that within the Group I claims, claims 1, 29 and 38 were considered generic.

In the current Office Action, the Examiner requested a further election of species within the Group I claims. In response, Applicants elect the species identified in paragraph 5 of the Office Action as species "1A" (claims 2-4) directed at the use of typed or graphic instructions without regard to interface. It should be noted that dependent claims 30 and 39 are identical to claim 2. Therefore, it is believed that claims 30 and 39 should properly be part of elected species